

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

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|--------------------------|---|------------------|
| KEVIN MCCULLERS, | : | |
| Plaintiff, | : | |
| | : | |
| v. | : | No. 5:15-cv-3732 |
| | : | |
| LEHIGH COUNTY, | : | |
| CITY OF ALLENTOWN, | : | |
| HOWARD W. ALTEMOS, JR., | : | |
| CARLOS ROBERTO BERNARDI, | : | |
| FRED J. CONTINO, and | : | |
| JOHN DOES, 1 THROUGH 10, | : | |
| Defendants. | : | |

ORDER

AND NOW, this 11th day of July, 2018, for the reasons set forth in the Opinion issued this date, **IT IS HEREBY ORDERED THAT:**

1. Defendant Contino's Motion to Dismiss, ECF No. 82, and Supplemental Motion to Dismiss, ECF No. 86, are **GRANTED**. All of Plaintiff's claims against Contino are **DISMISSED**. Contino is **TERMINATED** as a Defendant in this action.

2. Defendant Altemos's Motion to Dismiss, ECF No. 83, is **GRANTED in part and DENIED in part** as follows:

- A. Plaintiff's equal protection/race discrimination claim against Altemos is **DISMISSED**.
- B. Any references to Altemos in paragraphs 42 and 66 of the Second Amended Complaint, ECF No. 79, are **STRICKEN**.
- C. The motion is **DENIED** in all other respects.

3. Defendant Bernardi's Motion to Dismiss, ECF No. 84, is **WITHDRAWN**. *See* ECF No. 106 (Praecipe to Withdraw).

4. Defendant Contino's Motion to Dismiss Lehigh County's Crossclaims, ECF No. 91, is **GRANTED**. Contino is **TERMINATED** as a Cross Defendant in this action.

BY THE COURT:

/s/ Joseph F. Leeson, Jr.
JOSEPH F. LEESON, JR.
United States District Judge